

12-08-04

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

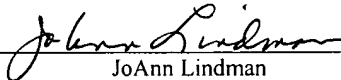
Application No.: 10/762,646 Confirmation No.: 5311  
Applicant : Brian J. Lowe et al.  
Filed : January 20, 2004  
TC/A.U. : 3731  
Examiner : Unknown  
Title : SHEATH FOR USE WITH AN EMBOLIC PROTECTION  
FILTERING DEVICE  
Docket No. : 1001.1653101  
Customer No. : 28075

**TRANSMITTAL SHEET**

Mail Stop AMENDMENT  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE UNDER 37 C.F.R. 1.10:** The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of: EL983782007US in an envelope addressed to Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 7 day of December, 2004.

By

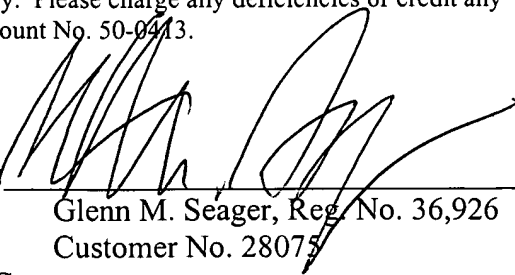
  
JoAnn Lindman

We are transmitting herewith the attached:

- ☒ Supplemental Information Disclosure Statement.
- ☒ Form 1449 with Ninety-Two (92) references.
- ☒ Postcard receipt.

Please consider this transmittal as a Petition for Extension of Time for a sufficient number of months to enter these papers or any future reply, if necessary. Please charge any deficiencies or credit any overpayment in the enclosed fees to Deposit Account No. 50-0413.

By

  
Glenn M. Seager, Reg. No. 36,926  
Customer No. 28075

CROMPTON, SEAGER & TUFTE, LLC  
1221 Nicollet Avenue, Suite 800  
Minneapolis, Minnesota 55403-2420  
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Facsimile: (612) 359-9349

PATENT

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By \_\_\_\_\_

*JoAnn Lindman*  
JoAnn Lindman

Dear Sirs:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the obligations of candor and good faith imposed by 37 C.F.R 1.56, the documents listed on the attached PTO-1449 are hereby disclosed.

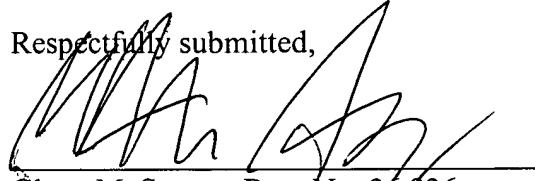
No representation is intended to be made hereby that any of the cited references establishes, by itself or in combination with other information, a prima facie case of unpatentability of any claim of the present case.

Under the provision 37 CFR §1.98(a)(2)(i), copies of the U.S. documents listed on the 1449 Form are not being submitted herewith.

Applicant respectfully requests that the Examiner consider the documents listed on the 1449 Form and indicate that they were considered by making appropriate notations on the attached 1449 form.

Dated: Dec 7, 2009

Respectfully submitted,



Glenn M. Seager, Reg. No. 36,926

Customer No. 28075

CROMPTON, SEAGER & TUFTE, LLC

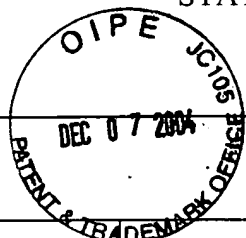
1221 Nicollet Avenue, Suite 800

Minneapolis, Minnesota 55403-2420

Telephone: (612) 677-9050

Facsimile: (612) 359-9349

<b>FORM PTO-1449</b>	Atty. Docket No.: 1001.1653101	Serial No.: 10/762,646
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	Applicant: Brian J. Lowe et al.	
	Filing Date: January 20, 2004	Group Art: 3731



## PATENT DOCUMENTS

Examiner Initial	Document No.	Date	Name	Class	Sub Class	Filing Date If Appropriate
	6,344,049	02/05/02	Levinson et al.			
	6,319,268	11/20/01	Ambrisco et al.			
	6,309,399	10/30/01	Barbut et al.			
	6,290,710	09/18/01	Cryer et al.			
	6,287,321	09/11/01	Jang			
	6,280,413	08/28/01	Clark et al.			
	6,277,139	08/21/01	Levinson et al.			
	6,277,138	08/21/01	Levinson et al.			
	6,270,513	08/07/00	Tsugita et al.			
	6,264,672	07/24/01	Fisher			
	6,264,663	07/24/01	Cano			
	6,258,115	07/10/01	Dubrul			
	6,245,089	06/12/01	Daniel et al.			
	6,245,088	06/12/01	Lowery			
	6,245,087	06/12/01	Addis			
	6,238,412	05/29/01	Dubrul et al.			
	6,235,045	05/22/01	Barbut et al.			
	6,235,044	05/22/01	Root et al.			
	6,231,544	05/15/01	Tsugita et al.			
	6,224,620	05/01/01	Maahs			
	6,221,006	04/24/01	Dubrul et al.			
	6,214,026	04/10/01	Lepak et al.			
	6,206,868	03/24/01	Parodi			
	6,203,561	03/20/01	Ramee et al.			
	6,179,861	01/30/01	Khosravi et al.			

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	6,179,859	01/30/01	Bates et al.			
	6,179,851	01/30/01	Barbut et al.			
	6,171,328	01/09/01	Addis			
	6,171,327	01/09/01	Daniel et al.			
	6,168,579	01/02/01	Tsugita			
	6,165,200	12/26/00	Tsugita et al.			
	6,152,946	11/28/00	Broome et al.			
	6,142,987	11/07/00	Tsugita			
	6,136,016	10/24/00	Barbut et al.			
	6,129,739	10/10/00	Khosravi			
	6,117,154	09/12/00	Barbut et al.			
	6,086,605	07/11/00	Barbut et al.			
	6,068,645	05/30/00	Tu			
	6,066,158	05/23/00	Engelson et al.			
	6,066,149	05/23/00	Samson et al.			
	6,059,814	05/09/00	Ladd			
	6,053,932	04/25/00	Daniel et al.			
	6,051,015	04/18/00	Maahs			
	6,051,014	04/18/00	Jang			
	6,042,598	03/28/00	Tsugita et al.			
	6,027,520	02/22/00	Tsugita et al.			
	6,013,085	01/11/00	Howard			
	6,010,522	01/04/00	Barbut et al.			
	6,007,557	12/28/99	Ambrisco et al.			
	6,001,118	12/14/99	Daniel et al.			
	5,997,557	12/07/99	Barbut et al.			

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	5,993,469	11/30/99	McKenzie et al.			
	5,989,281	11/23/99	Barbut et al.			
	5,980,555	11/09/99	Barbut et al.			
	5,989,271	11/23/99	Bonnette et al.			
	5,989,210	11/23/99	Morris et al.			
	5,976,172	11/02/99	Homsma et al.			
	5,954,745	09/21/99	Gertler et al.			
	5,951,585	09/14/99	Cathcart et al.			
	5,947,995	09/07/99	Samuels			
	5,941,896	08/24/99	Kerr			
	5,941,869	08/24/99	Patterson et al.			
	5,938,645	08/17/99	Gordon			
	5,935,139	08/10/99	Bates			
	5,934,284	08/10/99	Plaia et al.			
	5,928,218	07/27/99	Gelbfish			
	5,928,203	07/27/99	Davey et al.			
	5,925,063	07/20/99	Khosravi			
	5,925,062	07/20/99	Purdy			
	5,925,060	07/20/99	Forber			
	5,925,016	07/20/99	Chornenky et al.			
	5,916,193	06/29/99	Stevens et al.			
	5,911,734	06/15/99	Tsugita et al.			
	5,910,154	06/08/99	Tsugita et al.			
	5,908,435	06/01/99	Samuels			
	5,906,618	05/25/99	Larson, III			
	5,902,263	05/11/99	Patterson et al.			

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	5,895,399	04/20/99	Barbut et al.			
	5,893,867	04/13/99	Bagaoisan et al.			
	5,876,367	03/02/99	Kaganov et al.			
	5,848,964	12/15/98	Samuels			
	5,846,260	12/08/98	Maahs			
	5,833,650	11/10/98	Imran			
	5,833,644	11/10/98	Zadno-Azizi et al.			
	5,827,324	10/27/98	Cassell et al.			
	5,817,102	10/06/98	Johnson et al.			
	5,814,064	09/29/98	Daniel et al.			
	5,810,874	09/22/98	Lefebvre			
	5,800,525	09/01/98	Bachinski et al.			
	5,800,457	09/01/98	Gelbfish			
	5,797,952	08/25/98	Klein			
	5,795,322	08/18/98	Boudewijn			
	5,792,157	08/11/98	Mische et al.			
	5,792,300	08/11/98	Inderbitzen et al.			
	5,779,716	07/14/98	Cano et al.			
	5,769,816	06/23/98	Barbut et al.			
	5,749,848	05/12/98	Jang et al.			
	5,746,758	05/05/98	Nordgren et al.			
	5,728,066	03/17/98	Daneshvar			
	5,720,764	02/24/98	Naderlinger			
	5,709,704	01/20/98	Nott et al.			
	5,695,519	12/09/97	Summers et al.			
	5,669,933	09/23/97	Simon et al.			

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Examiner Initial	Document No.	Date	Name	Class	Sub Class	Filing Date If Appropriate
	5,662,671	09/02/97	Barbut et al.			
	5,658,296	08/19/97	Bates et al.			
	5,634,897	06/03/97	Dance et al.			
	5,569,275	10/29/96	Kotula et al.			
	5,569,274	10/29/96	Rapacki et al.			
	5,562,724	10/08/96	Vowork et al.			
	5,549,626	08/27/96	Miller et al.			
	5,540,707	07/30/96	Ressemann et al.			
	5,536,242	07/16/96	Willard et al.			
	5,527,354	06/18/96	Fontaine et al.			
	5,512,044	04/30/96	Duer			
	5,507,767	04/16/96	Maeda et al.			
	5,484,418	01/16/96	Quiachon et al.			
	5,476,104	12/19/95	Sheahon			
	5,462,529	10/31/95	Simpson et al.			
	5,456,667	10/10/95	Ham et al.			
	5,449,372	09/12/95	Schmaltz et al.			
	5,443,498	08/22/95	Fontaine			
	5,425,765	06/20/95	Tiefenbrun et al.			
	5,423,885	06/13/95	Williams			
	5,423,742	06/13/95	Theron			
	5,421,832	06/06/95	Lefebvre			
	5,419,774	05/30/95	Willard et al.			
	5,415,630	05/16/95	Gory et al.			
	5,409,454	04/25/95	Fischell et al.			
	5,405,377	04/11/95	Cragg			

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	5,397,345	03/14/95	Lazerus			
	5,395,349	03/07/95	Quiachon et al.			
	5,387,235	02/07/95	Chuter			
	5,383,926	01/24/95	Lock et al.			
	5,383,892	01/24/95	Cardon et al.			
	5,383,887	01/24/95	Nadal			
	5,376,100	12/27/94	Lefebvre			
	5,370,683	12/06/94	Fontaine			
	5,370,657	12/06/94	Irie			
	5,366,473	11/22/94	Winston et al.			
	5,366,464	11/22/94	Belknap			
	5,356,423	10/18/94	Tihon et al.			
	5,354,310	10/11/94	Garnic et al.			
	5,350,398	09/27/94	Pavcnik et al.			
	5,330,500	07/19/94	Song			
	5,330,484	07/19/94	Gunther			
	5,329,942	07/19/94	Gunther et al.			
	5,318,576	06/07/94	Plassche, Jr. et al.			
	5,314,472	05/24/94	Fontaine			
	5,314,444	05/24/94	Gianturco			
	5,306,286	04/26/94	Stack et al.			
	5,224,953	07/06/93	Morgentaler			
	5,195,955	03/23/93	Don Michael			
	5,190,546	03/02/93	Jervis			
	5,171,233	12/15/92	Amplatz et al.			
	5,160,342	11/03/92	Reger et al.			

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	5,152,777	10/06/92	Goldberg et al.			
	5,152,771	10/06/92	Sabbaghian et al.			
	5,135,531	08/04/92	Shiber			
	5,133,733	07/28/92	Rasmussen et al.			
	5,108,419	04/28/92	Reger et al.			
	5,104,399	04/14/92	Lazarus			
	5,102,415	04/07/92	Guenther et al.			
	5,100,425	03/31/92	Fischell et al.			
	5,100,424	03/31/92	Jang et al.			
	5,100,423	03/31/92	Fearnott			
	5,087,265	02/11/92	Summers			
	5,085,662	02/04/92	Willard			
	5,071,425	12/10/91	Gifford, III et al.			
	5,071,407	12/10/91	Termin et al.			
	5,053,044	10/01/91	Mueller et al.			
	5,053,008	10/01/91	Bajaj			
	5,041,126	08/20/91	Gianturco			
	5,019,088	05/28/91	Farr			
	5,011,488	04/30/91	Ginsburg			
	5,007,917	04/16/91	Evans			
	5,007,896	04/16/91	Shiber			
	5,002,560	03/26/91	Machold et al.			
	4,998,539	03/12/91	Delsanti			
	4,986,807	01/22/91	Farr			
	4,979,951	12/25/90	Simpson			
	4,969,891	11/13/90	Gewertz			

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	4,957,482	09/18/90	Shiber			
	4,955,895	09/11/90	Sugiyama et al.			
	4,950,277	08/21/90	Farr			
	4,926,858	05/22/90	Giffort, III et al.			
	4,921,484	05/01/90	Hillstead			
	4,921,478	05/01/90	Solano et al.			
	4,907,336	03/13/90	Gianturco			
	4,898,575	02/06/90	Fischell et al.			
	4,873,978	10/17/89	Ginsburg			
	4,867,157	09/19/89	McGurk-Burleson et al.			
	4,857,046	08/15/89	Stevens et al.			
	4,857,045	08/15/89	Rydell			
	4,842,579	06/27/89	Shiber			
	4,807,626	02/28/89	McGirr			
	4,800,882	01/31/89	Gianturco			
	4,794,931	01/03/89	Yock			
	4,794,928	01/03/89	Kletschka			
	4,790,813	12/13/88	Kensey			
	4,790,812	12/13/88	Hawkins, Jr. et al.			
	4,733,665	03/29/88	Palmaz			
	4,728,319	03/01/88	Masch			
	4,723,549	02/09/88	Wholey et al.			
	4,706,671	11/17/87	Weinrib			
	4,705,517	11/10/87	DiPisa, Jr.			
	4,662,885	05/05/87	DiPisa, Jr.			
	4,650,466	03/17/87	Luther			

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	4,643,184	02/17/87	Mobin-Uddin			
	4,631,052	12/23/86	Kensey			
	4,619,246	10/28/86	Molgaard-Nielsen et al.			
	4,590,938	05/27/86	Segura et al.			
	4,580,568	04/08/86	Gianturco			
	4,447,227	05/08/84	Kotsanis			
	4,425,908	01/17/84	Simon			
	4,046,150	09/06/77	Schwartz et al.			
	3,996,938	12/14/76	Clark, III			
	3,952,747	04/27/76	Kimmell, Jr.			
	3,889,657	06/17/75	Baumgarten			
	3,683,904	08/15/72	Forster			
	3,592,186	07/13/71	Oster			
	3,472,230	10/1969	Fogarty			
	Re 33,569	04/1991	Gifford, III et al.			
	B1 4,842,579	10/31/95	Shiber			

## FOREIGN PATENT DOCUMENTS

	Document No.	Date	Country	Class	Sub Class	Translation Yes No
	WO 00/49970	08/31/00	WIPO	A61F	2/01	
	WO 00/16705	03/30/00	WIPO	A61B	17/22	
	WO 00/09054	02/24/00	WIPO	A61F	7/12	
	WO 00/07655	02/17/00	WIPO	A61M	29/00	
	WO 99/58068	11/18/99	WIPO	A61B	17/22	
	WO 99/55236	11/04/99	WIPO	A61B	17/00	

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		WO 99/44542	09/10/99	WIPO	A61F	2/06	
		WO 99/44510	09/10/99	WIPO	A61B	17/00	
		EP 0 934 729	08/11/99	WIPO	A61B	17/22	
		WO 99/42059	08/26/99	WIPO	A61F	2/06	
		WO 99/40964	08/19/99	WIPO	A61M	29/02	
		WO 99/30766	06/24/99	WIPO	A61M	29/00	
		WO 99/25252	05/27/99	WIPO	A61B	17/00	
		WO 99/23976	05/20/99	WIPO	A61F	2/01	
		WO 99/22673	05/14/99	WIPO	A61F	2/01	
		FR 2 768 326 A1	03/19/99	FR	A61F	02/01	English Abstract
		WO 99/09895	03/04/99	WIPO	A61B	17/12	
		WO 98/55175	12/10/98	WIPO	A61M	29/00	
		WO 98/51237	11/19/98	WIPO	A61F	2/01	
		WO 98/50103	11/12/98	WIPO	A61M	29/00	
		WO 98/49952	11/12/98	WIPO	A61B	17/32	
		WO 98/47447	10/29/98	WIPO	A61F	2/06	
		WO 98/46297	10/22/98	WIPO	A61M	29/00	
		WO 98/39053	09/11/98	WIPO	A61M	29/00	
		WO 98/39046	09/11/98	WIPO	A61M	25/00	
		WO 98/38929	09/11/98	WIPO	A61B	17/22	
		WO 98/38920	09/11/98	WIPO	A61B	17/00	
		WO 98/36786	08/27/98	WIPO	A61M	5/32	
		WO 98/34673	08/13/98	WIPO	A61M	31/00	
		WO 98/33443	08/06/98	WIPO	A61B	17/22	
		EP 0 852 132 A1	07/08/98	EPO	A61F	2/01	English Abstract
		WO 98/23322	06/04/98	WIPO	A61M	29/00	

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<b>FORM PTO-1449</b>	Atty. Docket No.: 1001.1653101	Serial No.: 10/762,646
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	Applicant: Brian J. Lowe et al.	
	Filing Date: January 20, 2004	Group Art: 3731

		Document No.	Date	Country	Class	Sub Class	Translation Yes No
		WO 98/02084	01/22/98	WIPO	A61B		
		WO 98/02112	01/22/98	WIPO	A61F	2/01	English Abstract
		WO 97/42879	11/20/97	WIPO	A61B	17/00	
		WO 97/27808	08/07/97	WIPO	A61B	17/22	
		EP 0 784 988 A1	07/23/97	EPO	A61M	5/165	
		WO 97/17100	05/15/97	WIPO	A61M	29/00	
		EP 0 771 549 A2	05/07/97	EPO	A61F	2/01	English Abstract
		EP 0 759 287 A1	02/26/97	EPO	A61F	2/01	English Abstract
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		EP 0 737 450 A1	10/16/96	EPO	A61F	2/01	
		WO 96/23441	08/08/96	WIPO	A61B	5/00	
		JP 8-187294 A	07/23/96	JP	A61M	29/00	English Abstract
		WO 96/19941	07/04/96	WIPO	A61B	17/00	
		WO 96/10375	04/11/96	WIPO	A61F	2/06	
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		EP 0 655 228 A1	11/22/94	EPO	A61F	2/02	English Abstract
		WO 94/24946	11/10/94	WIPO	A61B	17/22	
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		Document No.	Date	Country	Class	Sub Class	Translation Yes No
		EP 0 437 121 B1	07/17/91	EP	A61F	2/02	
		EP 0 427 429 A2	05/15/91	EPO	A61M	25/10	
		EP 0 411 118 A1	02/06/91	EP	A61M	25/00	
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		FR 2 643 250 A1	08/24/90	FR	A61B	17/00	English Abstract
		WO 88/09683	12/15/88	WIPO	A61M	29/02	
		EP 0 293 605 A1	12/07/88	EP	A61F	2/02	
		FR 2 580 504	10/24/86	FR	A61M	1/00	English Abstract
		EP 0 200 688	11/05/86	EP	A61B	17/22	
		DE 34 17 738	11/14/85	DE	A61M	1/34	Yes
		SU 764684	09/25/80	U.S.S.R.	A61M	25/00	Yes
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		"Endovascular Grafts, Stents Drive Interventional Radiology Growth," <u>Cardiovascular Device Update</u> , 2(3):1-12 (March 1996)
		"Protruding Atheromas in the Thoracic Aortic and Systemic Embolization," pp. 423-427 American College of Physicians (1991)
		"Recognition and Embolic Potential of Intraaortic Atherosclerotic Debris," American College of Cardiology (January 1991)
		Cragg, Andrew et al., "A New Percutaneous Vena Cava Filter," <u>AJR</u> , 141:601-604 (September 1983)
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	Filing Date: January 20, 2004	Group Art: 3731

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